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# NASA Policy Directive

**COMPLIANCE IS MANDATORY**

**NPD 2092.1B**

Effective Date: February 11,  
2003

Expiration Date: August 12,  
2013

[Printable Format \(PDF\)](#)

Request Notification of Change

(NASA Only)

## **Subject: Royalties and Other Payments Received by NASA from the Licensing or Assignment of Inventions (REVALIDATED 8/12/2008)**

**Responsible Office: Office of the General Counsel**

### **1. Policy**

It is NASA's policy to--

- a. Share with NASA employees making inventions and non-NASA inventors that directly assign their interest in inventions to the Government, a percentage of any royalties and other payments received by NASA from the licensing or assignment of the inventions. The remainder of the royalties or other payments, after payment to the employee or other individual inventors, shall be made available to the NASA Center(s) where the inventions were made.
- b. Utilize the royalties or other payments remaining after payment to the persons specified in Section 1.a. for the following purposes: to pay expenses incidental to the administration and licensing of inventions; to further scientific exchange; to conduct scientific research and development consistent with missions of the Agency; to educate and train employees consistent with the mission of the Agency and for other activities that increase the potential for transfer of Agency technology; or to reward scientific, engineering, and technical employees of the laboratory, including developers of sensitive or classified technology, regardless of whether the technology has commercial applications.
- c. Fully utilize the royalties and other payments generated from the licensing of inventions made by a contractor(s) or grantee(s) where the title to such inventions has been assigned to or otherwise vested in NASA (other than by individuals directly assigning their interest in an invention to the Government).

### **2. Applicability**

- a. This Directive is applicable to NASA Headquarters and NASA Centers, including Component Facilities and Technical and Service Support Centers.
- b. This Directive applies to any invention made in whole or in part by (1) a NASA employee, (2) an employee of another Government agency where such invention is assigned to NASA, (3) an individual directly assigning his or her interest in an invention to the Government, and (4) an employee of a NASA contractor or grantee where the title to such inventions has been assigned to NASA by the contractor or grantee or has otherwise vested in NASA.
- c. This Directive also applies to inventions made by an employee, contractor or grantee of another Government agency from which custody and administration of the invention has been transferred to NASA, pursuant to 35 U.S.C. 207, unless otherwise agreed between NASA and the transferring agency.
- d. The term "royalties and other payments" means any money, including running royalties alternate or periodic minimum royalties and licensing or assignment fees, received by NASA for granting a license or assignment in an invention.

### **3. Authority**

- a. 15 U.S.C. § 3710c.
- b. 42 U.S.C. § 2457 (Section 305 of the Space Act).
- c. 35 U.S.C. § 200 et seq.

### **4. Applicable Documents**

- a. NPD 2091.1 Inventions Made by Government Employees.
- b. NPD 2092.1, Distribution of Royalties and Other Payments Received by NASA from the Licensing or Assignment of Inventions.

### **5. Responsibility**

- a. The Director, Innovative Partnership Program Office, or designees, is responsible for overall management of this policy.
- b. The NASA General Counsel, or designees, (the Agency Counsel for Intellectual Property, and the Center Patent Counsels) are responsible for ensuring that all royalties and other payments due from the licensing or assignment of inventions are forwarded to the Office of the Chief Financial Officer for deposit in applicable numbers, designation of the NASA Centers where the inventions were made and the identities of the inventions or co-inventors entitled to receive royalty payments, shall be forwarded to the Office of the Chief Financial Officer, NASA Shared Service Center, Financial Management Division, Attn: For the Accounts of [name of Center] Bldg 1111, C Road, Stennis Space Center 39529.
- c. The NASA Chief Financial Officer or designee, is responsible for the following:
  - (1) Establishing and maintaining a system for the receiving, accounting, depositing, and distributing of royalties and other payments received from the licensing and assignment

of inventions.

(2) Notifying the Center Directors, Director of the NASA Management Office--JPL; and the Executive Director of the Office of Headquarters Operations, of the amount of royalties and other payments available for distribution to the Centers and informing the Office of the General Counsel and the Chair of the Inventions and Contribution Board of the distributions.

d. Center Directors, Director of the NASA Management Office--JPL; and the Executive Director of the Office of Headquarters Operations are responsible for the following:

(1) Ensuring that all royalties and other payments available for distribution to their Centers are used and obligated.

(2) Keeping the Associate Administrator informed.

e. Each inventor is responsible for keeping NASA apprised of his or her current address.

## 6. Delegation of Authority

None.

## 7. Measurements/Verification

None.

## 8. Cancellation

NPD 2092.1A, dated February 11, 2003.

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**ORIGINAL SIGNED BY: /s/ Sean O'Keefe  
Administrator**

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## Attachment A: (Text)

None.

## (URL for Graphic)

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